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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Hui Lei

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EXAMINER

TARAE, CATHERINE MICHELLE

ART UNIT

PAPER NUMBER

3623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/26/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/797,023

Applicant(s)

LEI ET AL.

Examiner

C. Michelle Tarae

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The following is a Final Office Action in response to the communication received on November 28, 2006. Claims 1 and 7 have been amended. Claims 1-12 are now pending in this application.

#### ***Response to Amendment***

2. Applicant's amendments to claims 1 and 7 are acknowledged.

#### ***Response to Arguments***

3. Applicant's arguments with regard to Armstrong et al. (U.S. 6,807,423) have been fully considered but are found unpersuasive.

In the Remarks, Applicant argues the following: 1) that Armstrong et al. does not anticipate a "workflow engine that executes a business process model;" 2) that Armstrong et al. does not anticipate "a context service supporting one or a plurality of synchronous query and asynchronous callback context functions, which allows context-aware applications to obtain user context information;" 3) that Armstrong et al. does not anticipate "an interaction controller that acts as a proxy for one or more human participants in a workflow."

In response to argument 1), Examiner respectfully disagrees. First, Examiner respectfully submits that Applicant is arguing limitations not expressly recited in the claims, but is arguing limitations from the Specification. It is noted that the features

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upon which applicant relies (i.e., page 7 of Remarks: A business process is "a procedure where documents, information or tasks are passed between participants according to defined sets of rules to achieve or contribute to an overall business goal.") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Having said that though, Examiner respectfully submits Armstrong et al. does teach a business process as described in Applicant's Specification in the following areas: col. 3, lines 38-45 where Armstrong et al. discusses providing a watching party with information about a watched party (i.e., a procedure where information is passed between participants) and the ability to contact the watched party (i.e., according to a defined set of rules); col. 8, lines 60-66 where, as admitted by Applicant on page 7 of the Remarks, Armstrong et al. discusses a sales department with several operators for receiving calls (i.e., a procedure where information is passed between participants) where the calls are allocated to the first available operator with the relevant communication format (i.e., according to a defined set of rules); and col. 8, line 66-col. 9, line 7 where Armstrong et al. discusses a workflow application that requires a purchase requisition to be signed by two out of a group of five authorized signatories (i.e., a procedure where information/document/task is passed between participants) where the request is directed to the most appropriate pair of signatories taking into account factors such as presence of signatories in the office (i.e., according to a defined set of rules). Thus, Examiner respectfully submits that although the Applicant is arguing limitations not

expressly recited in the claims; Armstrong et al. does teach a business process as it has been defined in Applicant's Specification.

In response to argument 2), Examiner respectfully disagrees. Armstrong et al. discusses a context service that allows context-aware applications to obtain user context information in col. 5, lines 1-9 and col. 6, lines 7-24 where a PCP maintains context information on behalf of the user, where the context information includes location as well as contact preference information. Additionally, the PCP can choose how the user is to be contacted based on the user's context information, where the contact methods include both synchronous and asynchronous means of communication (col. 6, lines 54-57; col. 12, line 46-col. 13, line 6). Thus, Examiner respectfully submits Armstrong et al. does teach a context service supporting one or a plurality of synchronous query and asynchronous callback context functions, which allows context-aware applications to obtain user context information.

In response to argument 3), Examiner respectfully disagrees. As discussed above, Armstrong et al. teaches a PCP that maintains context information on behalf of the user, where the context information includes location as well as contact preference information (col. 5, lines 1-9 and col. 6, lines 7-24). The PCP can choose how the user is to be contacted based on the user's context information, where the contact methods include both synchronous and asynchronous means of communication (col. 6, lines 54-57; col. 12, line 46-col. 13, line 6). Thus, Examiner respectfully submits Armstrong et al.

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does teach an interaction controller that acts as a proxy for one or more human participants in a workflow.

Therefore, Applicant's arguments have been fully considered, but are not persuasive. The rejections are maintained and repeated below.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Armstrong et al. (U.S. 6,807,423).

As per claim 1, Armstrong et al. discloses a system for pervasive enablement of business processes, comprising:

a workflow engine that executes a business process model (col. 4, lines 7-10; col. 6, lines 20-24 and 56-57; col. 8, line 67; col. 10, lines 29-31; item 15 in Figures 3-6; Business process rules are implemented to establish activity specifications (i.e., when to contact, how to contact, etc.) for users of the system.);

a context service supporting one or a plurality of synchronous query and asynchronous callback text functions, which allows context-aware applications to obtain user context information (col. 3, lines 47-52; col. 5, lines 1-9; col. 6, lines 54-57; col. 12, line 46-col. 13, line 6; col. 13, lines 57-61; A PCP maintains context information on behalf of the user, where the context information includes location as well as contact preference information. The PCP can choose how the user is to be contacted based on the user's context information, where the contact methods include both synchronous and asynchronous means of communication.);

an interaction controller that acts as a proxy for one or more human participants in a workflow and receives specification of individual staff activities from the workflow engine, and upon receiving a staff activity specification, obtains context information of a partner instance from the context service to determine an appropriate collaboration modality for the partner instance, and forwards the engine responses from human partners back to the workflow engine, thereby handling individual interactions with human participants (col. 3, lines 52-65; col. 6, lines 48-58; col. 10, lines 29-31; When the system receives a request from one user to contact another user, the system acts on behalf of the user being contacted and based on the context information, determines the protocol for contacting the user.); and

one or more modality adapters that encapsulate details of communicating with a specific collaboration modality to receive a task from the interaction controller and deliver the task to said partner instance in a modality-specific format (col. 4, lines 35-41; col. 6, lines 54-58; Different modes of communication are enabled via the system,

where users can determine what type of modes are to be used to contact them and when.).

As per claim 2, Armstrong et al. et al. discloses the system in Claim 1, wherein the context service provides dynamic context information about human participants (col. 3, lines 47-52; col. 5, lines 1-9; col. 13, lines 57-61; Dynamic context information such as location and connectivity status are maintained for users of the system.).

As per claim 3, Armstrong et al. et al. discloses the system in Claim 2, wherein said dynamic context information includes a human participant's location, activity, connectivity and preferences (col. 3, lines 47-52; col. 5, lines 1-9; col. 11, lines 53-62; col. 13, lines 57-61).

As per claim 4, Armstrong et al. et al. discloses the system of Claim 2, wherein the context service supports both synchronous query and asynchronous callback context functions (col. 12, lines 53-67; Both synchronous (i.e., instant messaging, chat session) and asynchronous communications (i.e., email, voicemail) are supported by the system.).

As per claim 5, Armstrong et al. et al. discloses the system of Claim 1, further comprising an address book that maps individual IDs to modality-specific addresses, the interaction controller accessing the address book to look up a modality-specific address (col. 3, line 55; col. 6, lines 7-13 and 53-58; col. 9, lines 64-67; Each user of the system has unique connection addresses.).

As per claim 6, Armstrong et al. et al. discloses the system of Claim 1, wherein the modality adapters include the adapters for instant messaging, email, e-meeting,



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discussion threads, phones, pagers, and other communication devices (col. 4, lines 36-41; col. 6, lines 51-58; col. 12, lines 55-56).

Claims 7-12 recite limitations already addressed by the rejection of claims 1-6 above. Therefore, claims 7-12 are rejected on the same basis as claims 1-6 above.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae whose telephone number is 571-272-

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6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
C. Michelle Tarae  
Patent Examiner  
Art Unit 3623  
*Primary*

February 16, 2007